

## UNITED STATES DISTRICT COURT

for the

Southern District of Georgia

FILED  
U.S. DISTRICT COURT  
BRUNSWICK DIV.

2008 FEB 27 P 4: 52

CLERK *D. Taylor*

United States of America )

v. )

Reginald Habersham )

Case No: CR298-00032-003USM No: 06824-021Date of Previous Judgment: November 20, 1998

James Dewey Benefield, III

(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☐ the defendant ☒ the Director of the Bureau of Prisons ☒ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 135 months is reduced to time served, plus 10 days.

## I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

|   |  |
|---|--|
| Previous Offense Level: <u>31</u>                         | Amended Offense Level: <u>29</u>                         |
| Criminal History Category: <u>III</u>                     | Criminal History Category: <u>III</u>                    |
| Previous Guideline Range: <u>135</u> to <u>168</u> months | Amended Guideline Range: <u>120</u> to <u>135</u> months |

## II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☒ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- Other (explain):

## III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated November 20, 1998 shall remain in effect.

IT IS SO ORDERED.

Order Date: February 27, 2008

*Andrew A. Adams*  
\_\_\_\_\_  
Judge's signature

Effective Date: 2-27-08  
(if different from order date)

\_\_\_\_\_  
Judge, U.S. District Court  
Printed name and title